IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 798 of 2007()

(CRIME NO.45/07 OF KALAMASSERY POLICE STATION)

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PETITIONERS/ACCUSED NO.2 AND 3:

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1. JIYO, S/O.FRANCIS,
   PULIKKAL VEEDU, DESIYA KAVALA,
   VAZHAKALA VILLAGE, ERNAKULAM DISTRICT.

2. SUNNY, S/O.CHERIAN,
   MECHERIL VEEDU, NEAR KAVA, THURUTHI KARA,
   VENGOOR WEST VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.SOORAJ ELANJICKAL
SRI.M.A.JOSEPH MANAVALAN

RESPONDENT/ STATE:

STATE OF KERALA THROUGH
SUB INSPECTOR OF POLICE, KALAMASSERY
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, (CRIME NO.45/07 OF
KALAMASSERY POLICE STATION).

BY PUBLIC PROSECUTOR SRI. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 798 OF 2007

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DATED THIS THE 13th DAY OF FEBRUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioners who are accused Nos.2 and 3 in Crime No.45/07 of Kalamassery Police Station for an offence punishable under Section 511 of 376(2) (g) I.P.C. and sections 5(b) and (c) of the Immoral Traffic (Prevention) Act, 1956, seek their enlargement on bail. The petitioners were arrested on 21.1.2007.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners with effect from 26.2.2007. Accordingly, the petitioners are directed to be released on bail with effect from 26.2.2007 on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Aluva and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn